

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

*JTFW*  
**PATENT**  
Attorney Docket No.: 021227-000410US

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On January 25, 2005

TOWNSEND and TOWNSEND and CREW LLP

By: M T D  
Mark T. Davis



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Richard Daifuku  
Alexander Gall  
Dmitri Sergueev  
Dina Sologub

Application No.: 10/816,161

Filed: March 31, 2004

For: PRODRUGS OF HETEROARYL  
COMPOUNDS

Examiner: Not yet assigned

Art Unit: 1614

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The reference cited on attached form PTO/SB/08A is being called to the attention of the Examiner. In accordance with the USPTO waiver of the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. patent applications filed, applicant has not submitted a copy of the U.S. reference. It is respectfully requested that the cited reference be expressly considered during the

Richard Daifuku, Alexander Gall, Dmitri  
Sergueev, Dina Sologub  
Application No.: 10/816,161  
Page 2

PATENT

prosecution of this application, and the reference be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Also enclosed is a copy of the Search/Examination report corresponding to the PCT application.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

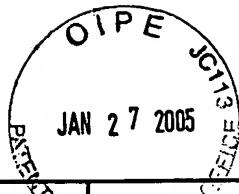
Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Annette S. Parent  
Reg. No. 42,058

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 925-472-5000  
Fax: 925-472-8895  
ASP:mtd  
60403822 v1



Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number	10/816,161
Sheet	1	of		Filing Date	March 31, 2004
				First Named Inventor	Daifuku, Richard
				Art Unit	1614
				Examiner Name	Not yet assigned
				Attorney Docket Number	021227-000410US

<b>U.S. PATENT DOCUMENTS+</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
AA		US-5,705,643	01-06-1998	Reinehr et al.	

<b>FOREIGN PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup>	Number <sup>4</sup> Kind Code <sup>5</sup> (if known)		
					T <sup>6</sup>

Examiner Signature		Date Considered
--------------------	--	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.